

## **RESOLUTION NO.**

**WHEREAS**, the Council desires to continue to foster opportunities for public participation in city council meetings but improve clarity in procedures that regulate council meetings and work sessions; and

**WHEREAS**, City Code Section 2-5-25 regulates the items the Council may adopt by consent collectively without a separate vote of the Council; and

**WHEREAS**, under City Code Section 2-5-25(B), the Council may not adopt items by consent that are (1) subject to a public hearing, (2) posted on the agenda for a specific time, (3) on which two or more people have registered to testify, and (4) that a council member has requested to be pulled for discussion; and

**WHEREAS**, under City Code Section 2-5-25(D), a person, other than a council member, may not participate in removing more than three items from the consent agenda for a single council meeting; and

**WHEREAS**, discussion has occurred recently in regards to the manner in which an item is removed from the consent agenda on the basis of two or more people having registered to testify and the limitations on participating in removing the items from the consent agenda; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

The City Manager is directed to initiate the necessary code amendments to Chapter 2-5 of the City Code to codify the following procedural changes for the regulation of Council meetings:

1. In accordance with city code, the Council may not adopt an item by consent on which two or more people have registered to testify, subject to the following considerations:
  - a. The persons participating in pulling the item from consent must be registered to testify 15 minutes prior to the scheduled start time of the council meeting. For example, at a regularly scheduled council meeting which convenes at 10:00 a.m., two persons must register to speak on an item before 9:45 a.m. to cause an item to be removed from the consent agenda.
  - b. If an individual is the only person registered to testify on an item on the consent agenda which has not been otherwise pulled for discussion, the item will remain part of the consent agenda. The person registered to testify will be allowed to speak one time, for up to three minutes on the consent agenda as a whole, regardless of the number of items for which the person has signed up to speak.
  - c. A person not wishing to speak but donating time shall be considered as registered to testify in determining if an item should be removed from the consent agenda. For example, if Person A registers to testify on an item on the consent agenda and Person B donates time to Person A, the item should be removed from the consent agenda.

- d. A person, other than a council member, may not participate in removing more than three items from the consent agenda for a single council meeting.
  - (i) This limitation applies only to items that are removed from the consent agenda solely on the basis of the number of persons who have registered to testify or donated time.
  - (ii) The first three numerically-listed items for which a person has registered to testify or donated time shall be considered for purposes of this limitation.
  - (iii) A person who is registered to speak must be present in the council chambers when the item is pulled of the consent agenda.

**BE IT FURTHER RESOLVED:**

The City Clerk should alter the speaker registration system in such a manner that eases confusion by limiting speaker registration to “wishing to speak” or “not wishing to speak”. Council Members may ask questions of any person related to an item on the agenda.

**BE IT FURTHER RESOLVED:**

The City Manager is directed to bring forward an ordinance for council consideration that will codify meeting procedures previously adopted by the Council, including the council work session procedures as approved by the Council on Wednesday, March 2, 2011. The City Manager may also bring

forward code changes to help clarify council meeting terminology, such as ambiguities regarding the meaning of “consent agenda”.

**ADOPTED:** \_\_\_\_\_, 2011    **ATTEST:** \_\_\_\_\_

Shirley A. Gentry  
City Clerk

DRAFT